

Senate Bill 70

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Clarifies Oregon State Board of Nursing process and requirements for licensure of nurses.

A BILL FOR AN ACT

1
2 Relating to nursing; amending ORS 678.050.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 678.050 is amended to read:

5 678.050. (1) Examinations for the licensing of applicants under ORS 678.010 to 678.448 *[shall]*
6 **must** be held at least once a year[, *and at such times and places as the Oregon State Board of*
7 *Nursing may determine. Notice of the examination dates shall be given by mail to all accredited nurs-*
8 *ing education programs in Oregon*]. The applicant *[shall be required to]* **must** pass an examination
9 in *[such]* subjects relating to nursing at the practical or registered level as the *[board]* **Oregon**
10 **State Board of Nursing** may determine necessary to protect the public health and welfare.

11 (2) All duly qualified applicants who pass the examination and meet other standards established
12 by the board shall be issued the license provided for in ORS 678.010 to 678.448 according to the
13 nature of the license for which application is made and examination taken and passed. The board
14 shall provide evidence of current licensure. The board shall determine by rule the form and manner
15 of the evidence of current licensure.

16 (3)(a) The board may issue a license by indorsement to an applicant qualified as provided in ORS
17 678.040 who has passed the examination used by the *[Oregon State Board of Nursing]* **board** and
18 **who** meets other standards established by the board. The board may also require evidence of com-
19 petency to practice nursing at the level for which application is made.

20 (b) For the purposes of the licensing procedure, the board *[shall]* **may** not accept monetary as-
21 sistance from anyone except the nurse applying for licensure by indorsement.

22 (c) **Except as provided in ORS 676.308**, the board shall process in order applications for
23 licensure by indorsement of qualified applicants *[and immediately issue licenses or license memoranda*
24 *when the applications are received and review of supportive documentation is completed. However, this*
25 *paragraph does not prohibit the board from immediately issuing a license out of order to applicants*
26 *appearing in person]*.

27 (d) *[The provisions of]* Paragraphs (b) and (c) of this subsection do not prohibit the board from
28 processing requests to employ nurses to meet temporary staffing shortages, as described in ORS
29 678.031 or 678.034, in facilities in this state not involved in labor disputes.

30 (4) Subject to *[such]* terms and conditions *[as]* **that** the board may impose, the board may issue
31 a limited license to practice registered or practical nursing:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 [(a) To a graduate of an accredited nursing education program at the appropriate level upon the
 2 applicant's filing for the first examination to be given following the applicant's graduation. The license
 3 issued under this paragraph expires when the results of the examinations are received by the applicant.
 4 The board may extend the limited license if the applicant shows to the satisfaction of the board that
 5 an emergency situation has prevented the applicant from taking or completing the first examination
 6 administered following graduation. The extension expires when the results of the next examination are
 7 received by the applicant or on the filing date of the next examination if the applicant has not
 8 reapplied.]

9 [(b) (a) To an applicant whose license has become void [by reason of] **for** nonpayment of fees
 10 at either level and who otherwise meets the requirements of the board. The board may, in issuing
 11 a limited license, require the applicant to demonstrate ability to give safe nursing care by under-
 12 going a supervised experience in nursing practice [as shall be] designated by the board, or by sat-
 13 isfactorily completing a continuing education program [as] approved by the board. The license issued
 14 under this paragraph expires on the date set in the license by the board. Upon [satisfactorily com-
 15 pleting] **the applicant's satisfactory completion of** the board's requirements, and payment of the
 16 renewal fee and delinquency fee, the board shall issue to the applicant a license to practice nursing.

17 [(c) (b) To an applicant who has not practiced nursing in any state for a period of five years,
 18 but has maintained a current license by the payment of fees. [Such] **The** applicant [shall] **may** not
 19 practice nursing in Oregon unless [an application is made to] **the applicant applies to** the board for
 20 a limited license and [it is issued] **the board issues the limited license** to the applicant. The board
 21 **may**, in issuing [such] a limited license, [may] require the applicant to demonstrate ability to give
 22 safe nursing care by undergoing a supervised experience in nursing practice [as shall be] designated
 23 by the board, or by satisfactorily completing a continuing education program approved or designated
 24 by the board. [No person shall be issued] **The board may not issue** a license if, in the judgment
 25 of the board, the [person's] **applicant's** conduct has been such, during absence from practice, that
 26 the applicant would be denied a license if applying for an initial license to practice nursing in this
 27 state.

28 [(d) (c) To a licensee who has been placed on probation or has been otherwise subjected to
 29 disciplinary action by the board.

30 [(e) (d) To any of the following persons if the person is affiliated with a planned program of
 31 study in Oregon consistent with the standards and requirements established by the board:

32 (A) A foreign nurse;

33 (B) A foreign student nurse; or

34 (C) A nurse licensed in another jurisdiction.

35 (5) The board may adopt by rule requirements and procedures for placing a license or certificate
 36 in inactive status.

37 (6)(a) Retired status may be granted to a person licensed or certified as a registered nurse, li-
 38 censed practical nurse, nurse practitioner, certified registered nurse anesthetist or clinical nurse
 39 specialist and who surrenders the person's license or certificate while in good standing with the is-
 40 suing authority if the person is not subject to any pending disciplinary investigation or action. The
 41 board may adopt by rule requirements, procedures and fees for placing a license or certificate in
 42 retired status.

43 (b) A person granted retired status by the [Oregon State Board of Nursing] **board** under the
 44 provisions of paragraph (a) of this subsection:

45 (A) Shall pay a fee in an amount to be determined by the board for retired status.

1 (B) May not practice nursing or offer to practice nursing in this state.

2 (C) May use the title or abbreviation with the retired license or certificate only if the desig-
3 nation "retired" appears after the title or abbreviation.

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